

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

|                          |   |                             |
|--------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA | ) |                             |
|                          | ) |                             |
| v.                       | ) | Criminal No. 1:21-CR-224-LY |
|                          | ) |                             |
| MARK SOKOLOVSKY,         | ) | <b><u>SEALED</u></b>        |
|                          | ) |                             |
| Defendant                | ) |                             |

**GOVERNMENT’S MOTION TO UNSEAL INDICTMENT AND VICTIM  
NOTIFICATION PROCEDURE FILINGS**

The United States of America files this Motion to Unseal the Indictment and Victim Notification Procedure filings (Documents 1, 9, and 10) in the above-captioned case. In support hereof, the Government shows as follows:

On November 21, 2021, the defendant was charged in a sealed Indictment with: (1) conspiracy to violate the Computer Fraud and Abuse Act, in violation of 18 U.S.C. §§ 371 and 1030; (2) conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349; (3) money laundering conspiracy, in violation of 18 U.S.C. § 1956(h); and (4) aggravated identity theft, in violation of 18 U.S.C. § 1028A. The charges stem from the defendant’s role in the operation of the Raccoon Infostealer malware, which has been used to steal sensitive records, including log-in credentials, financial information, and other personal records. At the time of indictment, the Government requested, and the Court granted, a motion to maintain the Indictment under seal.

On September 26, 2022, the Government filed a motion pursuant to 18 U.S.C. § 3771(d)(2), for authorization to employ alternative victim notification procedures (Document 9). The Court granted that motion via an Order signed October 5, 2022 (Document 10).

The Government intends to commence those alternate victim notification procedures in October or November 2022, or soon thereafter. As detailed in the prior motion and order, that

notification process includes the unsealing of the Indictment (and all attachments) as well as a public press release.

Therefore, the United States respectfully requests that the Court enter an Order authorizing the Clerk of the Court to unseal the above-captioned Indictment (including attachments) and related arrest warrants, as well as the Government's Motion For Alternative Victim Notification Procedures (Document 9) and the corresponding Order (Document 10). Further, the Government requests that the unsealing occur upon the Government's commencement of the victim notification process as described in the Court's October 5, 2022 order. The Government will communicate with the Clerk's Office prior to beginning the victim notification to coordinate the timing of the unsealing. The Government requests that this Motion also remain under seal until that time.

Respectfully submitted,

ASHLEY C. HOFF  
UNITED STATES ATTORNEY

By: /s/ Michael Galdo

**MICHAEL C. GALDO**  
**G. KARTHIK SRINIVASAN**  
Assistant United States Attorneys

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

|                          |   |                             |
|--------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA | ) |                             |
|                          | ) |                             |
| v.                       | ) | Criminal No. 1:21-CR-224-LY |
|                          | ) |                             |
| MARK SOKOLOVSKY,         | ) |                             |
|                          | ) |                             |
| Defendant                | ) |                             |

**ORDER**

HAVING CONSIDERED the Government's Motion to Unseal the Indictment and Victim Notification Procedure filings in this case, the Court hereby agrees that the Government's motion should be **GRANTED**, and it is hereby

ORDERED that when the Government commences the victim notification procedure, as detailed in the Court's Order dated October 5, 2022, the Clerk of the Court shall unseal the above-captioned indictment, including attachments, and related arrest warrant, as well as the Government's Motion For Alternative Victim Notification Procedures (Document 9), the corresponding Order (Document 10), and the Motion to Unseal. The Government will notify the Clerk's Office when the victim notification process has begun.

Dated: \_\_\_\_\_

\_\_\_\_\_  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE